

1 DANIEL E. LUNGREN, Attorney General
of the State of California
2 JANA L. TUTON
Supervising Deputy Attorney General
3 MARA FAUST
Deputy Attorney General
4 1515 K Street, Suite 511
P.O. Box 944255
5 Sacramento, California 94244-2550
Telephone: (916) 324-5358

6 Attorneys for Complainant

7
8 BEFORE THE
DIVISION OF MEDICAL QUALITY
9 MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
10 STATE OF CALIFORNIA

11 In the Matter of the)	No. D-4873
Accusation Against:)	
12 PATRICK T. CONNER, M.D.)	<u>STIPULATION, DECISION</u>
4067 East Cherokee)	<u>AND ORDER</u>
13 Springfield, MO 65804)	
14 License No. C-41076)	
15 Respondent.)	

16
17 IT IS HEREBY STIPULATED by and between Patrick T. Conner,
18 M.D. (hereinafter "respondent") and Kenneth J. Wagstaff, as
19 Executive Director of the Medical Board of California, Department
20 of Consumer Affairs, by and through his attorney, Mara Faust,
21 Deputy Attorney General, that the following matters are true:

22 1. Respondent has received and read Accusation No. D-
23 4873 which is presently pending against him, before the Medical
24 Board of California (hereinafter referred to as the "Board") and
25 that said Accusation was filed on or about August 7, 1992. A copy
26 of said Accusation is attached hereto as Exhibit A and incorporated
27 herein by reference.

1 2. The complainant in said Accusation, Kenneth J.
2 Wagstaff, is the Executive Director of the Board and brought said
3 Accusation in his official capacity only.

4 3. The respondent was duly served with the Accusation
5 and with all other documents by law in the above-entitled matter.

6 4. Respondent is fully aware of his right to a decision
7 based on a hearing on the charges and allegations in Accusation
8 No. D-4873, his right to reconsider and to appeal, and to all other
9 rights which may be accorded him pursuant to the California
10 Administrative Procedure Act and the laws of the State of
11 California.

12 5. Respondent hereby freely and voluntarily waives his
13 right to a hearing on the charges and allegations contained in the
14 above-mentioned Accusation in order to enter into this Stipulation
15 and that he further agrees to waive his right to reconsideration,
16 judicial review, and any and all rights which may be accorded him
17 by the Administrative Procedure Act and the laws of the State of
18 California, except his right to petition for termination or
19 modification of probation pursuant to Government Code section
20 11522.

21 6. All admissions of fact and conclusions of law
22 contained in this Stipulation are made exclusively for this
23 proceeding and any future proceedings between the Board and the
24 respondent and any future proceedings between the Board and the
25 respondent shall not be deemed to be admissions for any purpose in
26 any other administrative, civil or criminal action, forum or
27 proceeding.

1 7. For the purpose of the settlement of the action
2 pending against respondent in Case No. D-4873 and to avoid a
3 lengthy administrative hearing, respondent admits that there is a
4 factual and legal basis for the imposition of discipline pursuant
5 to all of the allegations of Accusation No. D-4873.

6 8. Respondent admits that the sole basis for
7 California's discipline is a period of time in 1989 wherein
8 respondent consumed quantities of Vicodin, Zydol and Lorcet, which
9 are controlled substances. Respondent further admits that this
10 same 1989 incident caused the Missouri State Board of Registration
11 for the Healing Arts to place respondent on five years probation,
12 with certain terms and conditions which included restrictions to
13 his DEA permit.

14 WHEREFORE, IT IS HEREBY STIPULATED AND AGREED that the
15 Medical Board of California, upon its approval of the Stipulation
16 and Waiver herein set forth, may, without further notice, prepare
17 a decision and enter the following order, whereby Physician and
18 Surgeon Certificate No. C-41076, heretofore issued to respondent
19 by the Medical Board of California, is hereby revoked, PROVIDED,
20 HOWEVER, that execution of this order of revocation is stayed, and
21 respondent is placed on probation for a period of five (5) years,
22 upon the following terms and conditions:

23 (A) OBEY ALL LAWS

24 Respondent shall obey all federal, state and local laws,
25 and all rules governing the practice of medicine in California.

26 (B) QUARTERLY REPORTS

27 Respondent shall submit quarterly declarations under

1 penalty of perjury on forms provided by the Board stating whether
2 there has been compliance with all the conditions of probation.

3 (C) SURVEILLANCE PROGRAM

4 Respondent shall comply with the Board's probation
5 surveillance program.

6 (D) INTERVIEW WITH MEDICAL CONSULTANT

7 Respondent shall appear in person for interviews with the
8 Board or its designee upon request at various intervals and with
9 reasonable notice.

10 (E) DIVERSION COMMITTEE

11 Respondent presently lives and practices medicine in the
12 State of Missouri. Respondent stipulates and agrees that prior to
13 commencing the practice of medicine in the State of California, he
14 will meet with the Diversion Evaluation Committee of the Board of
15 Medical Quality Assurance for examination and evaluation, and will
16 comply with any and all recommendations or restrictions imposed by
17 the Committee. Failure to do so will constitute grounds for
18 disciplinary action against his license.

19 (F) TOLLING FOR OUT-OF-STATE PRACTICE OR RESIDENCE

20 The period of probation shall not run during the time
21 respondent is residing or practicing outside the jurisdiction of
22 California. If, during probation, respondent moves out of the
23 jurisdiction of California to reside ore practice elsewhere,
24 respondent is required to immediately notify the Division in
25 writing of the date of departure, and the date of return, if any.

26 (G) COMPLETION OF PROBATION

27 Upon successful completion of probation, respondent's

1 certificate will be fully restored.

2 (H) VIOLATION OF PROBATION

3 If respondent violates probation in any respect, the
4 Division, after giving respondent notice and the opportunity to be
5 heard, may revoke probation and carry out the disciplinary order
6 that was stayed. If an accusation or petition to revoke probation
7 is filed against respondent during probation, the Division shall
8 have continuing jurisdiction until the matter is final, and the
9 period of probation shall be extended until the matter is final.

10 (I) CONTROLLED DRUGS - PARTIAL RESTRICTION

11 Respondent shall not prescribe, administer, dispense,
12 order, or possess any controlled substances as defined by the
13 California Uniform Controlled Substances Act, except for the
14 following drugs: Hydrocodon 5mg., Lorazepam 5mg., Tylenol with
15 Codeine Elixir, and Propoxyphene 100 mg. with 650 mg.
16 Acetaminophen.

17 (J) DRUGS & ABSTAIN FROM USE

18 Respondent shall abstain completely from the personal use
19 or possession of controlled substances as defined in the California
20 Uniform Controlled Substances Act, and dangerous drugs as defined
21 by Section 4211 of the Business and Professions Code, or any drugs
22 requiring a prescription.

23 (K) DRUGS - EXCEPTION FOR PERSONAL ILLNESS

24 Orders forbidding respondent from personal use or
25 possession of controlled substances or dangerous drugs do not apply
26 to medications lawfully prescribed to respondent for a bona fide
27 illness or condition by another practitioner.

1 (L) CONTROLLED DRUGS - MAINTAIN RECORD

2 Respondent shall maintain a record of all controlled
3 substances prescribed, dispensed or administered by respondent
4 during probation, showing all the following: (1) the name and
5 address of the patient, (2) the date, (3) the character and
6 quantity of controlled substances involved, and (4) the indications
7 and diagnosis for which the controlled substance was furnished.

8 Respondent shall keep these records in a separate file
9 or ledger, in chronological order, and shall make them available
10 for inspection and copying by the Division or its designee, upon
11 request.

12 (M) ALCOHOL - ABSTAIN FROM USE

13 Respondent shall abstain completely from the use of
14 alcoholic beverages.

15 9. IT IS FURTHER STIPULATED AND AGREED that the terms
16 set forth herein shall be null and void, and in no way binding upon
17 the parties hereto, unless and until accepted by the Medical Board
18 of California of the State of California.

19 DATED: November 30, 1992

DANIEL E. LUNGREN, Attorney General
of the State of California
JANA L. TUTON, Supervising
Deputy Attorney General

21

22

Mara Faust

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MARA FAUST
Deputy Attorney General

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Attorneys for Complainant

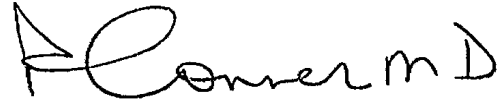
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1 I hereby certify that I have read this stipulation and
2 Agreement in its entirety, that I fully understand all of the same
3 and in witness thereof I affix my signature.
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5 DATED: 11/16/92

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7 PATRICK T. CONNOR, M.D.
8 Respondent
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Docket # 03573160-SA92AD1103



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DECISION AND ORDER

The foregoing is adopted as the decision of the Medical Board of California in this matter and shall become effective this 19th day of May 1993.

IT IS SO ORDERED this 19th day of April 1993.

MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS

BY Theresa L. Claassen
THERESA L. CLAASSEN
Secretary/Treasurer
Decision of Medical Quality

Conner, Petrick.

OFFICE COPY
ATTORNEY GENERAL

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Attorneys for Complainant

BEFORE THE
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the
Accusation Against:

No. D-4873

ACCUSATION

PATRICK T. CONNOR, M.D.
4067 East Cherokei
Springfield, MO 65804

Physician and Surgeon
Certificate No. C-41076

Respondent.

Kenneth J. Wagstaff, Executive Director, for causes for
discipline, alleges:

1. Complainant Kenneth J. Wagstaff makes and files
this accusation in his official capacity as Executive Director,
Medical Board of California, Division of Medical Quality,
Department of Consumer Affairs, State of California.

2. On August 8, 1983, the Medical Board of California
issued Physician and Surgeon Certificate No. C-41076 to Patrick

1 T. Conner, M.D. The certificate was in delinquent status with an
2 expiration date of July 30, 1991.

3 3. Under Business and Professions Code section 2234,
4 the Division of Medical Quality may take action against any
5 licensee who is charged with unprofessional conduct. The
6 revocation, suspension, or other discipline by another state of a
7 license or certificate to practice medicine issued by that state,
8 or the revocation, suspension or restriction of the authority to
9 practice medicine by any agency of the federal government
10 constitutes grounds for disciplinary action for unprofessional
11 conduct against a licensee under Business and Professions Code
12 section 2305.

13 4. Respondent has subjected his certificate to
14 discipline under Business and Professions Code section 2305 for
15 the grounds of unprofessional conduct as follows:

16 1.) On August 6, 1990, pursuant to a stipulated order,
17 the Missouri State Board of Registration for the Healing Arts
18 placed respondent on five years probation on certain terms and
19 conditions, including surrendering his controlled substance
20 authority. The disciplinary action by the State of Missouri was
21 based on the fact that respondent wrote prescriptions for
22 Vicodin, Zydane, and Lorcet Plus, in his wife's name, and then
23 consumed the medication himself. On January 29, 1992 the board
24 modified respondent's probation to allow him to prescribe,
25 Hydrocodone 5mg., Loratepam mg., Tylenol with Codeine Elixer, and
26 Propoxyphene 100 mg. with 650mg. Acetaminophen.

27 2. On October 26, 1990, the Texas State Board of

1 Medical Examiners, pursuant to a written order, imposed various
2 conditions on respondent's license, including that respondent
3 appear before the Texas Board and receive that Board's approval
4 prior to practicing medicine in the State of Texas.


5 WHEREFORE, complainant prays that a hearing be held and
6 that the Division of Medical Quality issue an order:

7 1. Revoking or suspending Physician and Surgeon
8 Certificate No. C-41076, issued to Patrick T. Conner, M.D.

9 2. Prohibiting Patrick T. Conner, M.D. from
10 supervising a physician's assistant.

11 3. Taking such other and further action as may be
12 deemed proper and appropriate.

13 DATED: August 7, 1992

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15 
16 KENNETH WAGSTAFF
17 Executive Director
18 Medical Board of California
19 Department of Consumer Affairs
20 State of California

21 Complainant

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